

# HealthLink

Department of Community Health ■ Spring 2005 ■ Volume 6 ■ Issue 1



## New Laws Involving Controlled Substances and Prescriptions

**P**rescriptions Written by Prescribing Physicians in Illinois or Minnesota Can Now Be Filled in Michigan - Effective January 3, 2005, Section 333.17763(f) of the Michigan Public Health Code was amended as follows: “(f) In addition to the prohibition contained in section 7405(1)(c), dispensing a prescription for a controlled substance as defined in section 7104 that is written and signed or transmitted by a physician prescriber in a state other than Michigan, unless the prescription is issued by a physician prescriber

who resides adjacent to the land border between this state and an adjoining state **or resides in Illinois or Minnesota** (emphasis added) and who is authorized under the laws of that state to practice medicine or osteopathic medicine and surgery and to prescribe controlled substances and whose practice may extend into this state, but who does not maintain an office or designate a place to meet patients or receive calls in this state.”



of a lawful prescriber, dispenser, or licensee.

- Falsely makes, utters, publishes, passes, alters, or forges a prescription.

- Knowingly possesses a false, forged, or altered prescription.

- Knowingly attempts to obtain, obtains, or possesses a drug by means of a prescription for other than a legitimate therapeutic purpose, or as

a result of a false, forged, or altered prescription.

- Possesses or controls for the purpose of resale, or sells, offers to sell, dispenses, or gives away, a drug, pharmaceutical preparation, or chemical that has been dispensed on prescription and has left the control of a pharmacist.

- Possesses or controls for the purpose of resale, or sells, offers to sell, dispenses, or gives away, a drug, pharmaceutical preparation, or chemical that has been damaged by heat, smoke, fire, water, or other cause and is unfit for human or animal use.

- Prepares or permits the preparation of a prescription drug, except as delegated by a pharmacist.

**New Law Makes Obtaining a Prescription Under False Pretenses a Misdemeanor** - On September 23, 2004, a new law went into effect regarding prescription drugs that are obtained in a fraudulent manner by consumers. Pursuant to Section 17766 of P.A. 329 of 2004, a person who does any of the following is guilty of a misdemeanor:

- Obtains or attempts to obtain a prescription drug by giving a false name to a pharmacist or other authorized seller, prescriber, or dispenser.

- Obtains or attempts to obtain a prescription drug by falsely representing that he or she is a lawful prescriber, dispenser, or licensee, or acting on behalf

## Michigan Automated Prescription System (MAPS)

In May 2005, the Michigan Automated Prescription System (MAPS) program will be changing the way reports are disseminated to practitioners and pharmacists. To request and access these reports online, you must have Internet access. MAPS request forms will be filled out online and reports will then be posted online for review within two business days. We expect to have this system operational by May 1st, but will still allow the option of faxing in requests if the requester does not have Internet access. Requests that are received via fax will take longer to process than online requests, as online requests will be processed first.

Once the online system is activated in May, practitioners and pharmacists must go to the website to register for online access at: [www.michigan.gov/healthlicense](http://www.michigan.gov/healthlicense). Scroll down to the Links Box, click on Michigan Automated Prescription System, MAPS On-Line. Registration is required before the online system can be accessed. If additional information is required, please contact us by e-mail at [mapsinfo@michigan.gov](mailto:mapsinfo@michigan.gov).

## INSIDE

**2 Important Reminders to All Health Professionals Who Possess a Controlled Substance License**

**2 Licensing Update: Audiologists and Respiratory Care Therapists**

**3 Updates to the Bureau of Health Professions' Website**

*continued on page 4*

## ■ Important Reminders to All Health Professionals Who Possess a Controlled Substance License

**Licensees are Required to Report a Loss or Theft** - All persons and locations that possess a controlled substance license are required to report any loss or theft of controlled substances within 10 days of discovery to the Michigan Board of Pharmacy and to the Drug Enforcement Administration (DEA) using the DEA-106 form. The DEA-106 form can be downloaded at [www.deadiversion.usdoj.gov/](http://www.deadiversion.usdoj.gov/). Forward the original and duplicate copies to the Detroit DEA Office, a copy to the Bureau of Health Professions, and retain a copy for your records.

The address for the Detroit DEA Office is:

Drug Enforcement Administration  
Detroit Field Office  
431 Howard Street  
Detroit, MI 48226

The address for the Bureau of Health Professions is:

Department of Community Health  
Bureau of Health Professions  
Investigation Division  
P.O. Box 30454  
Lansing, MI 48909

**Inventories Are Required** - Please be reminded that annual controlled substance inventories must be taken within a 90-day period between April 1st and June 30th of each year. This is a requirement under Section 333.7321 of the Public Health Code. You may review this statute by going to [www.michigan.gov/healthlicense](http://www.michigan.gov/healthlicense) and click on Public Health Code. This inventory requirement pertains to all persons licensed to manufacture, distribute, prescribe, or dispense controlled substances. A copy of the inventory must be forwarded to the Bureau of Health Professions at the following address:

Department of Community Health  
Bureau of Health Professions  
Investigation Division  
P.O. Box 30454  
Lansing, MI 48909

If you have any questions regarding these important reminders, please contact the Bureau of Health Professions' Investigation Division at (517) 373-1737 or you may e-mail your questions to [bhpinfo@michigan.gov](mailto:bhpinfo@michigan.gov).

## ■ Charges for Copies of Patient Records

Effective April 1, 2004, Public Act 47 of 2004 provides for specific fees that can be charged for patient records as follows: "... if a patient or his or her authorized representative makes a request for a copy of all or part of his or her medical record under section 5, the health care provider, health facility, or medical records company to which the request is directed may charge the patient or his or her authorized representative a fee that is not more than the following amounts: (a) An initial fee of \$20.00 per request for a copy of the record. (b) Paper copies as follows: (i) One dollar per page for the first 20 pages. (ii) Fifty cents per page for pages 21 through 50. (iii) Twenty cents for pages 51 and over. (c) If the medical record is in some form or medium other than paper, the actual cost of preparing a duplicate."

The law does allow for a waiver of these fees for a medically indigent individual. Under this provision, the individual would be limited to one set of copies.

To review the entire Act, please go to [www.legislature.mi.gov](http://www.legislature.mi.gov).

## ■ Licensing Update: Audiologists and Respiratory Care Therapists

Governor Granholm has now appointed board members to both the Michigan Board of Audiology and the Michigan Board of Respiratory Care. Both boards

are currently in the process of developing administrative rules that will establish the basic standards for the issuance of licenses. However, please be aware that the rule-making process can take up to 12 months to complete.

As soon as we are able to begin accepting applications for licensure, we will be mailing interested parties the application and information about applying for licensure. We have created mailing lists from the Michigan Speech-Language-Hearing Association, the National Board for Respiratory Care, as well as individuals who have already requested an application packet by either e-mailing or calling us.

*continued on page 3*

### CONTACTING BHP

#### By Mail:

Bureau of Health Professions  
P.O. Box 30670  
Lansing, MI 48909-8170

#### By Phone:

(517) 335-0918  
(517) 241-9427 (License Verification)

#### Website:

[www.michigan.gov/healthlicense](http://www.michigan.gov/healthlicense)

*HealthLink* is a biannual publication of the Michigan Department of Community Health – Bureau of Health Professions. Statements and opinions appearing in this newsletter are not necessarily those of the Bureau of Health Professions.

Jennifer M. Granholm  
Governor, State of Michigan

Janet Olszewski  
Director, Community Health

Melanie B. Brim  
Director, Bureau of Health Professions

Editor: Ray R. Garza

Reader's comments are invited. Please e-mail comments and suggestions to the editor at: [rrgarza@michigan.gov](mailto:rrgarza@michigan.gov) or write to: HealthLink Editor, BHP, P.O. Box 30670, Lansing, MI 48909.

DCH is an Equal Opportunity Employer and complies with the Americans with Disabilities Act.  
Printed by Authority of Executive Order 1991-6;  
Total Copies: 287,100; Total Cost: \$9,054.32; Cost Per Copy: \$0.031; Printed: 5-05

*continued from page 2*

If you would like to be included on the mailing list, please e-mail us at [bhpinfo@michigan.gov](mailto:bhpinfo@michigan.gov) or call our main line and leave your name and address in the applications mailbox at (517) 335-0918. Also, please check our website at [www.michigan.gov/healthlicense](http://www.michigan.gov/healthlicense) for future updates.

## ■ Social Work Continuing Education Requirements

As we have reported in previous issues of HealthLink, effective April 12, 2004, legislation was enacted that will change the regulation of social worker and certified social worker from registration to licensure. The titles of social worker and certified social worker will remain in effect until July 1, 2005. After July 1, 2005, a registered social worker will be called social worker or licensed bachelor's social worker; a certified social worker will be known as a licensed master's social worker. Social work technician will be known as a social service technician and will continue to be issued a registration, not a license.

The legislation also requires completion of continuing education. Anyone who is licensed at either the bachelor's level (social worker) or the master's level (certified social worker) will be required to complete 45 clock hours of continuing education in the 3-year renewal cycle. For those issued a license for May 1, 2006 through April 30, 2009, documentation of completion of continuing education courses acceptable to the board will be required when they renew in April 2009.

The Board of Social Work is currently developing rules to delineate what courses or activities will be acceptable for continuing education. The law does specify a total of 45 clock hours, which would mean the equivalent of 45, 60-minute blocks of time.

We will update our website ([www.michigan.gov/healthlicense](http://www.michigan.gov/healthlicense)) and future issues of HealthLink as new information becomes available.

## ■ Updates to the Bureau of Health Professions' Website

### **New Address for Online License**

**Verification** - We now have a new website address for our online license verification. The new address, [www.michigan.gov/verifylicense](http://www.michigan.gov/verifylicense), will allow you to go directly to our online license verification page. We are also pleased to announce a new feature for online license verifications. If a licensee has had disciplinary action (i.e., limitation, probation, fine, community service, restitution or suspension) imposed after January 1, 2005, the date of compliance (end date) will be listed.

Please be sure to bookmark [www.michigan.gov/verifylicense](http://www.michigan.gov/verifylicense) in your list of favorites for easy access in the future.

### **New Website Address for Online Status of Licensure Application**

Applicants who wish to check on the status of their application for licensure can now go directly to a new website address: [www.michigan.gov/appstatus](http://www.michigan.gov/appstatus). This site, which is completely confidential, can be accessed 24 hours a day, 7 days a week.

As reported in our Spring 2004 issue of HealthLink, upon receipt of an

*continued on page 4*

## WHAT YOU NEED TO KNOW

### Reporting Requirements

Another reporting requirement under Article 15 of the Public Health Code requires licensees and registrants to report a change in name or mailing address not more than 30 days after the change occurs (MCL 333.16192).

A current address is needed for a variety of reasons. Some include: renewal notices; advising a licensee or registrant of significant changes in Board rules; or, to provide notice of the filing of an administrative complaint, the notice of hearing or other documentation associated with the disciplinary process. Although not a complete list, these are some reasons why it is important that the information maintained by the Department of Community Health is accurate.

Notification of a change in name or address must be submitted to the Department in writing and should include the new name or address and the license number or social security number. A data change form is available on the Bureau of Health Professions' website at [www.michigan.gov/healthlicense](http://www.michigan.gov/healthlicense).

It is important for licensees and registrants to understand their responsibility to report this information to the Department as failure to do so could result in disciplinary action.

A copy of this statute may be downloaded from the Michigan Legislature website at [www.legislature.mi.gov](http://www.legislature.mi.gov).



# HealthLink

*continued from page 3*

application, Bureau of Health Professions' staff will send a letter to the applicant, which will include an assigned customer number. Once an applicant accesses the site and enters their customer number, they will be advised of one of the following:

- **Not Reviewed:** This means the application has been received but has not yet been reviewed by a processor.
- **Pending:** This means the applicant will be able to click on the application number to determine which items have not yet been received.
- **Complete:** A 10-digit license number will be provided and the applicant will be able to verify their license number and license expiration date by clicking on the license number.

*continued from page 1*

- **Sells a drug in bulk or in an open package at auction,** unless the same has been approved in accordance with rules of the board.

The legislation may be reviewed at [www.legislature.mi.gov](http://www.legislature.mi.gov). If you have questions or need additional information, please contact the Bureau of Health Professions' Investigation Division at (517) 373-1737 or you may e-mail your questions to [bhpinfo@michigan.gov](mailto:bhpinfo@michigan.gov).

## WHAT'S NEW

### We Want Your Input

If you have accessed our website lately at [www.michigan.gov/healthlicense](http://www.michigan.gov/healthlicense), you have probably noticed that we have greatly expanded it to serve you better. Currently, you can renew your license online, print application packets, administrative rules, the Public Health Code or other various forms. In addition, you can verify a license for any of the professions we regulate.

We are interested in knowing from our licensees if there is anything

else you would like to see on our website. If there is, we would like to hear from you! Please feel free to submit your suggestion(s) via e-mail to [wjmenos@michigan.gov](mailto:wjmenos@michigan.gov) or by mail at:

HealthLink Editor  
Bureau of Health Professions  
P.O. Box 30670  
Lansing, MI 48909

We will update you with the results in a future issue of HealthLink.

### On-line Access

#### **Main Website:**

[www.michigan.gov/healthlicense](http://www.michigan.gov/healthlicense)

#### **Application Status:**

[www.michigan.gov/appstatus](http://www.michigan.gov/appstatus)

#### **Verify a License:**

[www.michigan.gov/verifylicense](http://www.michigan.gov/verifylicense)

#### **On-line Renewal:**

[www.michigan.gov/elicense](http://www.michigan.gov/elicense)